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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/728,651	
	Filing Date	December 1, 2000	
	First Named Inventor	Paul E. JACOBS	
	Art Unit	2152	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	50 pages Alvin's	Attorney Docket Number	000383

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	References (46)
<input checked="" type="checkbox"/> Information Disclosure Statement; PTO Form 1449	<input type="checkbox"/> CD, Number of CD(s)	Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Customer Number 23696	

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	QUALCOMM, INC. Robert J. O'Connell - 44,265
Signature	<i>Robert J. O'Connell</i>
Date	April 30, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 4/30/04 Signature: Tami M. Procopio (Tami Procopio)



In re Application of:

JACOBS, et al.

Serial No.: 09/728,651

Filed: December 1, 2000

Art Unit: 2152

Docket No. 000383

For: **E-MAIL SOFTWARE AND METHOD AND SYSTEM FOR DISTRIBUTING  
ADVERTISEMENTS TO CLIENT DEVICES THAT HAVE SUCH E-MAIL SOFTWARE  
INSTALLED THEREON**

**CERTIFICATION UNDER 37 CFR § 1.8**

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail, in an envelope addressed to: Commissioner for Patents, Box 1450, Alexandria, VA. 22313-1450

April 30, 2004  
Date

*Tami M. Procopio*  
Tami M. Procopio

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants submit herewith, in accordance with 37 CFR § 1.98, the patents, publications and other information listed on the enclosed Form PTO-1449.

The references submitted herewith are those of which Applicants are aware, which they believe may be material to the examination of this application and, with respect to which there may be a duty to disclose in accordance with 37 CFR § 1.56. While the references identified may be material to the examination of this application pursuant to 37 CFR § 1.56, the citation of these references is not intended to constitute an admission that any reference referred to herein is prior art to the invention of this application, unless specifically designated as such. Additionally, the filing of this Information Disclosure Statement shall not be construed to mean that any search has been made or, that if made, such search was complete or exhaustive, or that no other material information as defined in 37 CFR § 1.56 exists.

In accordance with 37 CFR § 1.97(b)(3), this Information Disclosure Statement is being submitted before mailing of the first Office Action on the merits.

A list of the references is set forth on Form PTO-1449, which is enclosed herewith, along with a copy of each cited reference. Applicants respectfully request that the Examiner return to Applicants a copy of the Form PTO-1449 indicating consideration of the references cited thereon.

References A26, B8, and C1 were forwarded to the applicants by the Office in two Notifications identifying prior art submitted in late protests in co-pending applications 09/728,651 and 09/732,158.

Applicants do not believe that any fees are due. If, however, it is determined that fees are owed, Applicants hereby authorize that such fees be charged to Deposit Account No. 17-0026.


Respectfully submitted,

Date: April 30, 2004

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FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 000383	SERIAL NO. 09/728,651
		APPLICANT JACOBS, et al.	
		FILING DATE 12/01/2000	GROUP/EXAMINER 2152

April 30, 2004

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	6 0 1 4 5 0 2	1/11/00	Moraes	395	200.49	
	A2	5 9 5 9 6 2 3	9/28/99	van Hoff et al.	345	333	
	A3	5 9 4 6 6 4 6	8/31/99	Schena et al.	702	177	
	A4	5 9 3 7 3 9 2	8/10/99	Alberts	705	14	
	A5	5 9 1 3 0 4 0	6/15/99	Rakavy et al.	395	200.62	
	A6	5 8 4 8 3 9 7	12/8/98	Marsh et al.	705	14	
	A7	5 8 3 8 7 9 0	11/17/98	McAuliffe et al.	380	4	
	A8	5 8 1 2 7 8 4	9/22/98	Watson et al.	395	200.57	
	A9	5 8 0 9 2 4 2	9/15/98	Shaw et al.	395	200.47	
	A10	5 7 9 4 2 1 0	8/11/98	Goldhaber et al.	705	14	
	A11	5 7 8 1 8 9 4	7/14/98	Petrecce et al.	705	14	
	A12	5 6 6 4 9 4 8	9/9/97	Dimitriadis et al.	434	307	
	A13	5 5 1 5 2 7 0	5/7/96	Weinblatt	364	405	
	A14	5 4 8 3 4 6 6	1/9/96	Kawahara et al.	364	514	
	A15	5 4 7 5 8 1 9	12/12/95	Miller et al.	395	200.03	
	A16	5 4 7 3 1 4 3	12/5/95	Vak et al.	235	380	
	A17	5 4 5 1 9 9 8	9/19/95	Hamrick	348	13	
	A18	5 4 4 2 7 7 1	8/15/95	Filepp et al.	395	650	
	A19	5 4 2 6 4 2 7	6/20/95	Chinnock et al.	340	827	
	A20	5 3 7 7 3 5 4	12/27/94	Scannell et al.	395	650	
	A21	5 3 4 7 6 3 2	9/13/94	Filepp et al.	395	200	
	A22	5 3 2 5 3 1 0	6/28/94	Johnson et al.	364	514	
	A23	5 1 7 7 6 8 0	1/5/93	Tsukino et al.	364	401	
	A24	5 1 0 5 1 8 4	4/14/92	Pirani et al.	340	721	
	A25	4 7 0 3 4 2 3	10/27/87	Bado et al.	364	400	
	A26	6 1 4 1 0 1 0	10/31/00	Hoyle	345	356	
	A27	6 6 2 5 5 7 8	9/23/03	Spaur et al.	705	14	
	A28	6 3 3 9 7 9 5	1/15/02	Narurkar et al.	709	246	
	A29	6 6 5 8 4 6 5	12/02/03	Touboul	709	223	
	A30	6 1 3 4 5 8 4	10/17/00	Chang et al.	709	219	

	A31	6	4	8	7	5	3	8	11/26/02	Gupta et al.	705	14	
	A32	6	3	8	1	7	0	9	4/30/02	Casagrande et al.	714	18	
	A33	5	9	1	8	0	1	4	6/29/99	Robinson	395	200	
	A34	6	5	1	6	3	3	8	2/04/03	Landsman et al.	709	203	
	A35	6	2	9	8	3	3	2	10/02/01	Montague	705	27	
	A36	6	6	0	5	1	2	0	8/12/03	Fields et al	715	513	
	A37	5	9	5	5	7	1	0	9/21/99	DiFranza	187	396	

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	Ref No	DOCUMENT NUMBER								DATE	COUNTRY	NAME	CLASS	SUB CLASS
	B1	E	P	8	2	2	5	3	5	2/4/1998	EPO	Apte et al.	G09F	27/00
	B2	W	O	99	5	9	0	9	7	11/18/99	PCT	Werkhoven	G06F	19/00
	B3	W	O	99	5	2	0	5	6	10/14/99	PCT	Horstmann	G06F	17/60
	B4	W	O	99	1	3	4	2	3	3/18/99	PCT	Middleton et al.	G06F	17/60
	B5	W	O	98	4	7	0	9	0	10/22/98	PCT	Servan-Schreiber	G06F	17/60
	B6	W	O	97	4	0	5	1	4	10/30/97	PCT	Shaw et al.	H01J	13/00
	B7	W	O	96	2	4	2	1	3	8/8/96	PCT	Goldschmitt	H04L	29/06
	B8	W	O	99	5	5	0	6	6	10/28/99	PCT	Zetmeir	H04M	3/00

### OTHER PRIOR ART (Including Author, Title, Date, Pertinent Page, Etc.)

	C1		Claria Company Information, Corporate Overview. <a href="http://www.claria.com/companyinfo">www.claria.com/companyinfo</a> 4/12/2004
	C2		
	C3		

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.